

REMARKS

Applicant respectfully requests reconsideration of the present application in view of the foregoing amendments and in view of the reasons that follow.

Claims 4, 7 and 9 are currently being cancelled.

Claims 1, 5, 6, 8 and 10 are currently being amended, whereby these amendments do not affect the scope of the claims but rather are being made in order to place these claims in better form for U.S. patent practice.

Claims 13 and 14 are currently being added.

This amendment amends, cancels and adds claims in this application. A detailed listing of all claims that are, or were, in the application, irrespective of whether the claims remain under examination in the application, is presented, with an appropriate defined status identifier.

After amending the claims as set forth above, claims 1-3, 5, 6, 8 and 10-14 are now pending in this application.

Request Approval of Formal Drawings Previously Submitted:

The Examiner is requested to indicate approval of the formal drawings submitted with the reply filed on April 10, 2004.

Claim Rejections:

Independent Claims:

In the Office Action, claims 1, 4-5 and 8-12 were rejected under 35 U.S.C. Section 103(a) as being unpatentable over U.S. Patent No. 6,363,323 to Jones in view of U.S. Patent No. 6,236,338 to Hamada and further in view of U.S. Patent No. 6,353,794 to Davis et al.; claims 2 and 3 were rejected under 35 U.S.C. Section 103(a) as being unpatentable over Jones in view of Hamada and Davis and further in view of U.S. Patent No. 6,459,964 to Vu et al.; and claims 6 and 7 were rejected under 35 U.S.C. Section 103(a) as being unpatentable over Jones in view of Hamada and further in view of U.S. Patent

No. 6,609,005 to Chern. These rejections are traversed with respect to the present pending claims, for at least the reasons given below.

With respect to presently pending independent claim 1, which now includes the features of canceled claim 4, the Office Action asserts that column 5, lines 2-10 and 20-23 of Hamada teaches the features of claim 4 (which are now recited in presently pending claim 1). Applicant respectfully disagrees with this assertion made in the Office Action. Column 5, lines 2-10 of Hamada merely describes that a route for a PHS navigation terminal to a target place is provided to the PHS navigation terminal from a base station, whereby the PHS navigation terminal is provided with specific points along the route to the destination. This has nothing at all to do with overwriting data of a previous destination in a radio terminal when the radio terminal arrives at a new destination. Column 5, lines 20-23 of Hamada describes an example where the user is provided with different messages depending upon where he/she is on the route to the eventual destination. The fact that a new message is provided to the user when the user gets to Station "D" does not teach or suggest that the information related to Station "B" (a previous stop along the route) is overwritten in the PHS navigation terminal.

Accordingly, since none of the other cited art of record makes up for the above-mentioned deficiencies of Hamada, presently pending claim 1 is patentable over the cited art of record.

Presently pending independent claims 6 and 8 have been amended in a manner similar to the amendments made to claim 1, and thus those claims are also patentable over the cited art of record.

Dependent Claims:

The presently pending dependent claims are patentable due to their respective dependencies on one of the presently pending independent claims discussed above, as well as for the specific features recited in these dependent claims.

For example, with respect to claim 2, the Office Action asserts that Vu teaches the features recited that claim. Applicant respectfully disagrees with this assertion made in the Office Action. In particular, the Office Action asserts that column 1, lines 58-63 and column 2, lines 55-58 and 61-64 of Vu teach the features recited in claim 2. However, column 1, lines 58-63 of Vu merely describes that predictive intelligence may be used to plan beyond the next few blocks as monitored by a signal system. Also, column 2, lines 55-58 and 61-64 of Vu merely describes the use of precision scheduling for use in railroads. These portions of Vu have nothing at all to do with "variations of an error" that are performed based on means of travel, as recited in claim 2.

Accordingly, claim 2 is patentable over the cited art of record for these additional reasons.

With respect to dependent claim 3, the Office Action assert that column 5, lines 61-64 of Vu teaches the features recited in this claim. Applicant respectfully disagrees with this assertion made in the Office Action. Column 5, lines 61-64 of Vu merely describes that an operator may input an occurrence of a major event into a train monitor which has the potential for disrupting the movement plan. These events, as described in column 5, lines 64-65 of Vu, are events that have already occurred (e.g., accident, train stalled on track), and thus there is no teaching or suggestion in Vu of using variation coefficients of an error in the data and hour that are different from each other dependent upon a day of week.

Accordingly, claim 3 is patentable over the cited art of record for these additional reasons.

With respect to claim 11, the Office Action asserts that column 7, lines 10-13 and 17-25 of Jones teaches the features recited in this claim. Applicant respectfully disagrees with this assertion made in the Office Action. Claim 11 recites that requests for location information from a radio terminal are requested to be made at a first periodic time interval, whereby the radio terminal is sent this request by way of a first radio signal, in which the first periodic time interval

is determined based on a current distance that the radio terminal is away from a next destination of the radio terminal. Thus, the radio terminal is informed of how often it is to output location information to another unit (e.g., base station) based on information in the first radio signal that is sent to the radio terminal.

Column 7, lines 10-13 and 17-25 of Jones does not teach the above-mentioned features of claim 11. Rather, this portion of Jones merely describes that a vehicle manager transmits a start signal when the vehicle starts the route, and whereby the vehicle manager can determine an amount of time that has lapsed since the start of the route by analyzing the value of a clock, and whereby a vehicle scheduler is checked by the vehicle manager to determine the vehicle's current position. There is no teaching or suggestion of Jones' vehicle manager outputting vehicle location information at a first periodic interval to another device, based on a first radio signal sent to the vehicle manager that tells the vehicle manager what the first periodic interval corresponds to.

Accordingly, claim 11 is patentable over the cited art of record for these additional reasons.

Lastly, with respect to claim 12, that claim recites that the first periodic time interval is changed to a second periodic time interval (shorter in time than the first periodic time interval), when the radio terminal is determined to be within a predetermined distance of a next destination of the radio terminal. The Office Action asserts that column 12, lines 5-12 and 15-19 of Jones teaches these features, but Applicant respectfully disagrees with this assertion. In particular, column 12, lines 5-12 and 15-19 of Jones merely describes that a status message output from a vehicle may indicate how far the vehicle is from an estimated location via a time value (e.g., ten minutes late), and whereby the base station adjusts the time value in a corresponding entry to account for the vehicle being off schedule, and whereby the adjusted time value is used to determine whether a notification message should be sent to the user (e.g., the delivery truck will be late). This has nothing at all to do with changing a periodic time interval at which a vehicle is to output its location information, based on whether or not the vehicle is close to a next destination. Rather, these portions

of Jones deal with receiving status information from a vehicle in which the status information always appears to be sent to the base station at a same time interval (e.g., every ten minutes), and not based on the distance the vehicle is from a next destination along its route.

Accordingly, claim 12 is patentable for these additional reasons.

New Claims:

New claims 13 and 14 have been added to recite additional features of the present invention that provide a separate basis for patentability of these claims.

Conclusion:

Applicant believes that the present application is now in condition for allowance, and an early indication of allowance is respectfully requested.

The Examiner is invited to contact the undersigned by telephone if it is felt that a telephone interview would advance the prosecution of the present application.

The Commissioner is hereby authorized to charge any additional fees which may be required regarding this application under 37 C.F.R. §§ 1.16-1.17, or credit any overpayment, to Deposit Account No. 19-0741. Should no proper payment be enclosed herewith, as by a check being in the wrong amount, unsigned, post-dated, otherwise improper or informal or even entirely missing, the Commissioner is authorized to charge the unpaid amount to Deposit Account No. 19-0741. If any extensions of time are needed for timely acceptance of papers submitted herewith, Applicant hereby petitions for such extension under 37 C.F.R. §1.136 and authorizes payment of any such extensions fees to Deposit Account No. 19-0741.

Respectfully submitted,

Date

September 13, 2004

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